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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,272	02/05/2001	Kipp A. Aldrich		3404

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Los Angeles, CA 90067

EXAMINER

DUGGINS, ALICIA M

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/777,272

Applicant(s)

ALDRICH, KIPP A.

Examiner

Alicia M Duggins

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3,5 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Dewald (US6317171).

Regarding claims 1, 5 and 9, Dewald shows in fig.1 the recording of high definition images comprising the steps of:

- acquiring a video image in a first data format where the image is sent from the pixel processing unit (12) to the picture quality unit (13) (col.3 ll.52-54).
- compiling the image in a second format which is done in the picture quality unit (13) (col. 3 ll.52-56)
- writing the image as a stripped data file is shown by the removing of the effects of the gamma correction process, which strips the data and is then written to the buffer (14) (col.3 ll.56-61) as also discussed in claim 9

Regarding claims 2 and 3, Dewald shows that the first data format is in a YcbCr format and the second format is a RGB format (col.3 ll.54-56)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dewald in view of Duluk et al. (US6771264).

Regarding claims 4 and 6-7, Dewald shows in fig.1:

- compiling of the image in the first data format where the image is sent from the pixel processing unit (12) to the picture quality unit (13) (col.3 ll.52-54).
- translating the image in the first format to the second format is shown in the picture processing unit (13) (col.3 ll.55-56)
- filtering the image to eliminate translation artifacts is also shown in the picture quality unit (13) (col. 3 ll. 59-60)
- correcting the image (col.3 ll.58-59)
- as discussed in claim 9, Dewald discusses the image being provided via a network (col.3 ll. 20)

However, what he does not show and is shown by Duluk is packing the image in a second data format packing mode (col.74 ll. 57-59) in a RGB12 format(col.74 l.37). It would have been obvious to one of ordinary skill in the art to pack the image utilizing the RGB12 format to have better preservation of color to allow for a better image.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dewald in view of Wall et al. (US6223289). Although Dewald teaches the translation of an image from YcbCr format to an RGB format, he does not the use of ITU-BT Rec.601 to perform the translation, which is taught by Wall (col. 21 ll.4-7). It would have been obvious to one of ordinary skill in the art to use ITU-BT Rec.601 to perform the translation since it is an industry standard.

Conclusion

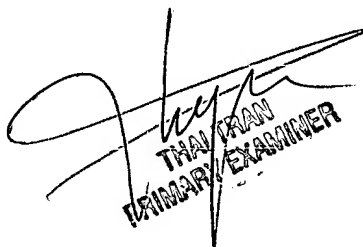
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M Duggins whose telephone number is (703)305-5621. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran (Acting SPE) can be reached on (703)305-4725. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AMD
9/17/04



THAI TRAN
PRIMARY EXAMINER